

1 THE HONORABLE RICARDO MARTINEZ
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

KENNETH FLEMING, JOHN DOE, R.K., and T.D.,
Plaintiffs,

v.

THE CORPORATION OF THE PRESIDENT OF
THE CHURCH OF JESUS CHRIST OF LATTER-
DAY SAINTS, a Utah corporation sole, a/d/a
"MORMON CHURCH"; LDS SOCIAL SERVICES
a/d/a LDA FAMILY SERVICES, a Utah corporation,
Defendants.

9 NO. C04-2338 RSM
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**DECLARATION OF MICHAEL T.
PFAU IN SUPPORT OF MOTION FOR
APPOINTMENT OF LITIGATION
GUARDIAN AD LITEM**

**NOTE ON MOTION CALENDAR:
FRIDAY, MAY 5, 2006**

I, MICHAEL T. PFAU, being first duly sworn on oath, deposes and says.

1. I am one of the attorneys for the plaintiffs in this action; I make this declaration
based upon my own personal knowledge.

2. Plaintiff John Doe recently settled his claims in this matter for a confidential
amount.

3. Plaintiff John Doe is currently incarcerated in a Washington State Department
of Corrections facility and his sentence is scheduled to end in October of 2006.

4. Plaintiff John Doe has a history of drug addiction.

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PFAU DECL. IN SUPP. OF APPTMNT. OF LITIGATION GUARDIAN AD LITEM- 1
(C04-2338 RSM)
161813

LAW OFFICES
GORDON, THOMAS, HONEYWELL, MALANCA,
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600 UNIVERSITY, SUITE 2100
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(206) 676-7500 - FACSIMILE (206) 676-7575

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5. My office has received several telephone calls from plaintiff John Doe's wife,
who has informed counsel that John Doe would not object to the appointment of his wife as a
Limited Guardian of his Estate for purpose of releasing the settlement funds and management
of the funds.

6. Andrew Benjamin has informed my office that he would be willing to act as a
Litigation Guardian ad Litem for John Doe.
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8 I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE
9 STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

10 DATED at Seattle, Washington, this 9 day of April, 2006.
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13 MICHAEL T. PFAU
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PFAU DECL. IN SUPP. OF APPTMNT. OF LITIGATION GUARDIAN AD LITEM- 2
(C04-2338 RSM)
161813

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1 CERTIFICATE OF ELECTRONIC FILING
2

I hereby certify that on April 19, 2006, I electronically filed the foregoing

3 **DECLARATION OF MICHAEL T. PFAU IN SUPPORT OF MOTION FOR**
4 **APPOINTMENT OF LITIGATION GUARDIAN AD LITEM** with the Clerk of the Court
5 using the CM/ECF system which will send notification of such filing to the following:

6

7 Thomas D. Frey and
8 Marcus Nash
9 STAFFORD FREY COOPER
10 601 Union Street, Suite 3100
11 Seattle, WA 98101-1374

12 DATED this 19th day of April, 2006.

13 /s/ Tanya Garbell
14 Assistant to Michael T. Pfau,

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PFAU DECL. IN SUPP. OF APPTMNT. OF LITIGATION GUARDIAN AD LITEM- 3
(C04-2338 RSM)
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